

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA

CASE NO. 3:12-cr-00058-LRH-WGC

Plaintiff,

vs.

F. HARVEY WHITTEMORE

Defendant.

ORDER REGARDING

**F. HARVEY WHITTEMORE'S UNOPPOSED MOTION FOR AN
EXTENSION OF TIME TO FILE HIS REPLIES TO THE
GOVERNMENT'S RESPONSES TO POST-TRIAL MOTIONS**

Defendant, F. Harvey Whittemore, by and through his attorneys, Gordon Silver, hereby moves for an extension of time to file his Replies to the Government's Responses to Mr. Whittemore's post-trial motions. This motion is supported by the attached memorandum of points and authorities and all papers and pleadings on file herein.

1 **MEMORANDUM OF POINTS AND AUTHORITIES**

2 Following trial in this matter, Mr. Whittemore filed two post-trial motions on June 12,
3 2013: (1) Motion in Arrest of Judgment and to Dismiss with Respect to Counts 1 through 3 of
4 the Indictment (# 178¹); and (2) Motion for New Trial (# 179). On June 28, 2013, the Court
5 issued an Order (# 183) granting the Government's Unopposed Motion for An Extension of
6 Time to File its Responses (# 182) to both post-trial motions. Pursuant to this Order, the
7 Government timely filed its Responses (## 185, 186) to the post-trial motions on July 15, 2013.

8 Mr. Whittemore respectfully requests an extension of time to and including August 12,
9 2013, to file his replies in support of his post-trial motions (## 178, 179). Mr. Whittemore
10 requests this extension in order to allow adequate time to fully brief the complex issues raised in
11 his motions and responded to by the Government. In addition, counsel needs additional time as a
12 result of obligations in this and other cases.

13 Counsel for Mr. Whittemore has contacted Steven W. Myhre, counsel for the
14 Government, who indicated that the Government does not oppose an extension of time to and
15 including August 12, 2013. This extension of time is not being made for purposes of delay and
16 will not impact any other deadlines in this case.

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¹ Refers to the Court's docket number.

For these reasons, Mr. Whittemore respectfully requests that the Court grant this motion and allow Mr. Whittemore to file his replies in support of the post-trial motions on or before August 12, 2013.

4 || DATED this 26th day of July, 2013

GORDON SILVER

/s/ Justin J. Bustos
DOMINIC P. GENTILE
Nevada Bar No. 1923
VINCENT SAVARESE III
Nevada Bar No. 2467
3960 Howard Hughes Pkwy., 9th Floor
Las Vegas, Nevada 89169
(702) 796-5555

JUSTIN J. BUSTOS
Nevada Bar No. 10320
100 W. Liberty Street, Suite 940
Reno, NV 89501
Tel: (775) 343-7500
Fax: (775) 786-0103

*Attorneys for Defendant,
F. Harvey Whittemore*

ORDER

20 IT IS SO ORDERED.

21 || DATED this 29th day of July, 2013.

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LARRY R. HICKS
UNITED STATES DISTRICT JUDGE